REMARKS

The examiner objects to the drawings as informal.

The application includes claims 1-33 prior to entering this amendment.

The examiner rejects claims 1, 3-11, 14-19, 22-27, and 29-33 under 35 U.S.C. § 102(e) as being anticipated by Billington et al. (U.S. patent no. 7,103,760).

The examiner rejects claims 2 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Billington in view of Konetski et al. (U.S. publication no. 2002/0103880).

The examiner rejects claims 12, 13, 20, and 21 under 35 U.S.C. § 103(a) as being unpatentable over Billington in view of Konetski and Chrabaszcz (U.S. patent no. 6,212,585).

Applicants amend claims 1-2, 11, 19, and 27.

The application remains with claims 1-33 after entering this amendment.

Applicants add no new matter and request reconsideration.

Final Office Action

The examiner makes the latest office action final.[1] The MPEP provides that a second action on the merits "shall be final except where the examiner introduces a new ground of rejection that is neither necessitated by applicants' amendment of the claims nor based on information submitted in an information disclosure statement."[2] In the latest office action, the examiner introduces a new ground of rejection by rejecting claims 1-33 as old or obvious over a new primary reference (Billington) and two new secondary references (Konetski and Chrabaszcz). The examiner had not previously cited any of these three new references. Notably, the examiner's new ground for rejection is not necessitated by applicants' amendment since claim 1 remained as originally filed in the immediately previous action. Applicants did not cite any of the three new references in any information disclosure statement. Applicants, therefore, ask the examiner to remove the finality of the latest issued office action.

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[1] Office action dated 08/23/2007, pages 2 and 10.
[2] MPEP §706.07(a).

Drawing Objections

Applicants submit formal Figures 1 and 2 to obviate the examiner's drawing objection.

Claim Rejections Under §§ 102 and 103

The examiner rejects claims 1, 3-11, 14-19, 22-27, and 29-33 as being anticipated by Billington. The examiner rejects claims 2 and 28 as obvious over Billington in view of Konetski and claims 12-13 and 20-21 as obvious over Billington in view of Konetski and Chrabaszcz.

Applicants traverse the examiner's rejections for the reasons that follow.

Claim 1 recites:

a data/memory port, coupled to the network port and configured to interface with a memory device;

where the thin client is configured to detect the memory device through the data/memory port; and

where the thin client is configured to transfer data stored at the memory device through the data/memory port to the home network via the network port responsive to detecting the memory device.

Independent claims 11, 19, and 27 include similar language.

The examiner indicates that Billington's data connection 16 (figure 1) discloses the recited data/memory port, connection 20 (figure 1) discloses the recited network connection, and thin client 12 (figure 11) discloses the recited thin client. Billington's data connection 16 connects a peripheral 12 to an electronic data processing device 14.[3] The data connection 16 can comprise a USB port or other serial or parallel port, or FireWire connection.[4] The connection 20 can be a hard wire or wireless connection that connects the data processing device 14 to the network 21. "Alternatively, the peripheral can itself be connected to the network 21 via the data link 23, and again this can be a wired or a wireless connection."[5] Further, Billington's figure 11 discloses an embodiment of system 10 in which the peripheral 12 can comprise a thin client

[3] Billington, column 6, lines 45-48.
[4] Billington, column 6, lines 48-49.
[5] Billington, column 6, lines 60-62.

device connectable to user interface devices (e.g., monitor 74, keyboard 76, mouse 78, data storage drive 80, and the like).[6]

If Billington were to disclose the recited thin client, Billington's peripheral 12 would necessarily detect a memory device through the data connection 16 and be configured to transfer data stored at the memory device through the data connection 16 to the network 21 via the network port 20. This is not the case and particularly evident when the examiner realizes that the thin client 12 shown in figures 11 and 12 is an embodiment of the peripheral 12 shown in figure 1.[7] Billington does not disclose that the peripheral 12 interfaces and detects a memory device through the connection 16 and transfers data stored in the detected memory device to the network 21 using the connection 20. For this reason alone, Billington does not disclose that recited in independent claims 1, 11, 19, and 27 and their associated dependent claims.

In rejecting claims 2 and 28, the examiner acknowledges that Billington does not "specifically disclose the thin client device is configured to automatically transfer data from the data/memory port to a server coupled to the network port."[8] The examiner cites Konetski for disclosing "a system for using resources of a computer system in conjunction with a thin media client wherein the computer system may retrieve content based on a signal generated by software either at the thin media client or the computer system."[9] In rejecting claims 12-13 and 20-21, the examiner acknowledges that neither Billington nor Konetski discloses automatically detecting that the memory device is coupled to the data port.[10] The examiner cites Chrabaszcz for disclosing "automatically configuring a server system after a device has been hot added."[11] The examiner concludes that it would have been obvious to incorporate the teachings of Konetski and Chrabaszcz into the system of Billington to result in a system where the computer retrieves the content and automatically detects a hot added device. Applicants disagree for the reasons that follow.

Billington's peripheral 12 does not detect the presence of any memory device through the data connection 16 as would be required by the claims. Likewise, none of Konetski's thin media clients 110, 120, and 130 detects a memory device through a data/memory port. Konetski's

[6] Billington, column 13, lines 19-25.
[7] Billington, column 13, lines 57-58.
[8] Office action dated 8/23/2007, page 8.
[9] Id. at page 9.
[10] Id.

system 100 "may be used by thin media clients 110, 120, and 130 to allow the clients to avoid including redundant resources."[12] "Computer system 100 is ... configured to store digital media content on a longer term basis in memory 108. For example, digital media files such as audio files for use with audio client 110 may be downloaded and stored on computer system 100."[13] "Computer system 100 may ... retrieve ... content in response to a signal generated by software at either a think media client 110, 120, and 130 or computer system 100."[14] Thus, even though Konetski's computer 100 may retrieve content based on a signal generated by software at either the computer 100 or the thin clients 110, 120, and 130, none of the thin clients 110, 120, and 130 detects a memory device through a port connected thereto and none of the thin clients 110, 120, and 130 transfers *data stored at the memory device through the data/memory port to the home network via the network port responsive to detecting the memory device* as required by the claims. That Chrabaszcz discloses configuring a server after automatically detecting a hot added device does not cure the deficiency. If Chrabaszcz' automatic detection of a hot added device were to be implemented in Billington's system as modified by Konetski, the peripheral 12 would remain unable to detect a memory device and transfer data from that memory device through the connection 16 to the device 14 through the connection 20 to the network 21.

[11] Id.
[12] Konetski, paragraph [0023].
[13] Konetski, paragraph [0020].
[14] Konetski, paragraph [0014].

Conclusion

In view of the foregoing, applicants respectfully submit that claims 1-33 are allowable and ask the examiner to pass this application to allowance. If the examiner has any questions or believes that a telephone conference would expedite prosecution of this application, applicants encourage the examiner to call the undersigned at (503) 224-2170.

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Respectfully submitted,
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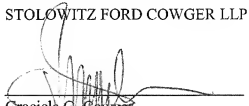

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